

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SARA MICHELLE SIMMONS,

Plaintiff,

v.

SAFARI EXPLORER M/V,

Defendant.

CASE NO. 2:10-CV-00250-MJP

ORDER ON MOTION TO COMPEL
DISCOVERY

1. Plaintiff's Motion to Compel Discovery (Dkt. No. 44)
2. Claimant's Response to Plaintiff's Motion to Compel (Dkt. No. 46)
3. Plaintiff's Reply (Dkt. No. 48)
4. Claimant's Surreply/Response to Order to Show Cause (Dkt. No. 50)

and all attached declarations and exhibits, makes the following ruling:

IT IS ORDERED that the motion is DENIED.

The Court agrees with Claimant: this is an *in rem* proceeding where jurisdiction has yet to be established over the property by means of vessel arrest under process of the court. In the absence of that jurisdictional authority, the Court has no power to compel discovery.

1 The clerk is ordered to provide copies of this order to all counsel.

2 Dated March 14, 2011.

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5 Marsha J. Pechman
6 United States District Judge
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